

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

SBFI-NORTH AMERICA, INC., )  
vs. )  
MASS ENGINEERED DESIGN, INC., and )  
JERRY MOSCOVITCH, )  
Plaintiff, )  
Defendants. )  
Civil Action No.: 1:12-cv-197-MR

**AGREED MOTION EXTENDING TIME OF  
DEFENDANTS MASS ENGINEERED DESIGN, INC.  
AND JERRY MOSCOVITCH TO RESPOND TO COMPLAINT**

Plaintiff SBFI-North America, Inc. ("SBFI"), through its undersigned counsel, hereby moves for an Order extending the time for Defendants MASS Engineered Design, Inc. ("MASS") and Jerry Moscovitch ("Moscovitch") (collectively, "Defendants") to respond to the Complaint to December 26, 2012.

In support of this Motion, Plaintiff states as follows:

1. On August 6, 2012, SBFI filed its Complaint against Defendants.
2. At present, the deadline for Defendants to respond to the Complaint is

November 26, 2012 pursuant to an Agreed Motion Extending Time granted in part by the Court.

3. Defendants have informed Plaintiff that Defendants have not yet retained counsel to represent them in this litigation and to request an additional extension of time in which to respond to the Complaint.

4. Defendants and SBFI are involved in settlement discussions, and Defendants and SFBI have agreed to the proposed extension to December 26, 2012 for Defendants to respond to the Complaint.

5. Because Defendants are not yet represented by counsel, SBFI represented that it would file this Motion to request the Court's approval of the proposed extension to December 26, 2012, and that it would serve Defendants with copies of this Motion and any communications with the Court concerning this Motion electronically at the address stated on the Certificate of Service.

**WHEREFORE**, SBFI requests that the Court extend the time for Defendants to respond to the Complaint to December 26, 2012.

Dated this 20th day of November, 2012.

/s David M. Carter  
David M. Carter - NC Bar No. 8605  
Van Winkle, Buck, Wall, Starnes  
and Davis, P.A.  
11 N. Market Street  
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*Attorney for SBFI-North America, Inc.*

## **CERTIFICATE OF SERVICE**

The undersigned does hereby certify that he has this day electronically served the foregoing AGREED MOTION EXTENDING TIME OF DEFENDANTS MASS ENGINEERED DESIGN INC. AND JERRY MOSCOVITCH TO RESPOND TO COMPLAINT to Defendants MASS Engineered Design, Inc. and Jerry Moscovitch as follows:

Allan Tameshtit  
Director of Intellectual Property  
MASS Engineered Design Inc.  
allant@massedi.com

This the 20th day of November, 2012.

/s David M. Carter